

**UNITED STATES DISTRICT COURT
FOR THE COMMONWEALTH OF MASSACHUSETTS**

CIVIL ACTION NO. 05CV-10165-RGS

**GREAT NORTHERN INSURANCE
COMPANY, as Subrogee of JON AND
ABBY WINKELREID,
Plaintiff,**

v.

**FERGUSON & SHAMAMIAN
ARCHITECTS, LLP AND
W.B. MARDEN COMPANY,
Defendants.**

**DEFENDANT W.B. MARDEN COMPANY'S
RULE 26(A)(1) DISCLOSURE**

Pursuant to Federal Rule of Civil Procedure 26(a)(1), the Defendant W.B. Marden, Co. hereby makes the following initial disclosure.

A. Name, address and telephone number of individuals likely to have discoverable information that the defendant may use to support its claims or defenses.

1. Jon and Abby Winkelreid, 17 Washington Avenue, Short Hills NJ, 07078
2. Robert Butler, 22 Waydale Road, Nantucket, MA 02554
3. Jeremiah K. Smith, 31 Appleton Road, Nantucket, MA 02554
4. Steven B. Boyd, P.O. Box 601 - 12 Sun Island Road, Nantucket, MA 02554
5. John Trebby, Thirty Acre Wood, 7 Thirty Acre Lane, Nantucket, MA 02554
6. Ted Storm, Winkelreid caretaker, 15 Cathcart Road, Nantucket, MA 02554, 508-825-7712
7. Representative of Ellis and Schneider Inc, Electrical Contractors, 2 Gregien Avenue, PMB 268, Nantucket, MA 02554
8. William Ciarmanro, Plumbing Inspector, Town Building Annex, 37 Washington Street, Nantucket, MA 02554

9. Representatives of Thirty Acre Wood, 7 Thirty Acre Lane, Nantucket, MA 02554

10. Representatives of Ferguson & Shamamian Architects, 270 Lafayette Street,
New York, New York, 10012

B. Copy or description by category and location of all documents of the possession, custody or control of the disclosing party.

1. Plumbing invoices and permits

2. Jobsite plans including sheets P1.0-P4.0: ME 1.0: and SU1.0

3. Photographs of 15 Cathcart Road, Nantucket, MA 02554

All documents are available at the offices of the Defendants' counsel or copies will be forwarded to all parties if requested.

C. Computation of damages.

The Defendant W.B. Marden did not incur any damages as a result of this incident, The defendant does seek contribution from the co defendant Ferguson & Shamamian Architects, for their relative fault, costs of the suit and any other relief the Courts deems just.

D. Insurance Agreement covering W.B. Marden Co.

Insurance is providence by Arbella Protection Insurance Company, Policy
Number 8500013415.

The Defendant reserves the right to supplement this disclosure during the course of discovery.

DEFENDANT,
W.B. MARDEN COMPANY,
By its attorney,

/s/Kathleen C. Tulloh Brink

Kathleen C. Tulloh Brink
Mintz, Levin, Cohn, Ferris,
Glovsky and Popeo, P.C.
One Financial Center
Boston, Massachusetts 02111
(617) 542-6000

Dated: May 5, 2005